

STATE OF MICHIGAN  
COURT OF APPEALS

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In the Matter of AHMED UYSUF SANDERS,  
ELYSE MAHALIEKA TONYA SANDERS,  
WILLIE LEE MICKENS IV, and CHARLES  
SYLVESTER T. MICKENS, Minors.

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FAMILY INDEPENDENCE AGENCY,  
  
Petitioner-Appellee,

UNPUBLISHED  
September 2, 2003

v

LYNDA MAGEE, a/k/a LINDA REBECCA  
MAGEE,

No. 243854  
Wayne Circuit Court  
Family Division  
LC No. 97-356117

Respondent-Appellant,

and

WILLIE MICKENS, JR., and KIRK DOUGLAS  
SANDERS,

Respondent.

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Before: Markey, P.J., and Cavanagh and Saad, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the trial court order terminating her parental rights to the minor children under MCL 712A.19b(3)(c)(i), (g), and (j). We affirm.

The trial court did not clearly err in finding that the statutory grounds were established by clear and convincing evidence. MCR 5.974(I), now MCR 3.977(J); *In re Sours*, 459 Mich 624, 633; 593 NW2d 520 (1999); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Further, the evidence did not show that termination of respondent-appellant's parental rights was clearly not in the children's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000).

At the time of the termination hearing, the children had been in foster care for over two years and had previously been in foster care in 1997. Respondent-appellant failed to consistently

submit random drug screens and participate in an aftercare program and therefore did not demonstrate that she had resolved her problems with alcoholism. In addition, respondent-appellant never completed specialized parenting classes meant to address the various special needs of the children, particularly Elyse who has cerebral palsy. Respondent-appellant also failed to consistently visit the children after unsupervised parenting time ceased because of her failure to properly care for the children during a visit. Although respondent-appellant had recently obtained a new residence, the home was insufficiently furnished and the lease did not allow for four minor children to reside in the home.

Respondent-appellant attempts to raise an evidentiary issue involving her psychiatrist's testimony about her ability to care for the children, which was excluded by the trial court. However, respondent-appellant has waived the issue by failing to raise it in her questions presented. *In re KD*, 246 Mich App 212, 218; 631 NW2d 353 (2001). Moreover, the issue is without merit because the psychiatrist testified that his role in respondent-appellant's treatment was medication management, and he did not conduct therapy with respondent-appellant, had no contact with the children, and saw respondent-appellant only about every two months. Under these circumstances, there was no abuse of discretion in excluding his testimony regarding respondent-appellant's ability to provide proper care and custody of her children.

Affirmed.

/s/ Jane E. Markey  
/s/ Mark J. Cavanagh  
/s/ Henry William Saad